

# **FISCAL NOTE**

## **SB 263 - HB 783**

February 10, 2001

**SUMMARY OF BILL:** Repeals the statute that prevents an abatement of all actions brought by a woman or filed against a woman upon her marriage. Rule 17 of the Tennessee Rules of Civil Procedure concerns the capacity of parties to sue and be sued, and states that capacity is determined by the law of this state. The bill also repeals the statute that gives a husband the right to become a party plaintiff in his wife's action. Rule 24.01 of the Tennessee Rule of Civil Procedure preserves the right to intervene where a statute gives that right.

### **ESTIMATED FISCAL IMPACT:**

#### **Decrease State Expenditures - Not Significant**

If there were no constitutional impediment, the effect of the provisions of the bill would prevent certain lawsuits being concluded and require the filing of another action. This may be prevented by provisions regarding statute of limitations on certain types of actions.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director